GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Registration & Stamps Department – Sri Kota Sai Baba, Sub Registrar Grade-II, O/o. District Registrar (Original Branch), Gandhinagar, Vijayawada, Krishna District (Retired on 30.09.2007) – Surprise conducted by Anti Corruption Bureau over O/o Joint Sub Registrar (Original Branch), Registration & Stamps, Gandhinagar, Vijayawada dated:22-9-2007 - Departmental Proceedings initiated – Regular enquiry conducted – Report submitted - Imposed penalty of 10% cut in pension permanently – Filed Review Petition – Rejected – filed OA.No.7123/2014 before the Andhra Pradesh Administrative Tribunal – OA allowed – Further action dropped - Orders – Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No.346 **Dated:30-3-2017**

Read the following:

1) DG,ACB Lr.Rc.No.64/DES-VKI/2007-S9, dated: 28.12.2007.
2) G.O.Rt.No.1631, Rev(Vig.VI) Dept., dated: 16.08.2008.
3) Explanation from Sri K.Saibaba, JSR(Retd.) dt: 25.11.2008.
4) G.O.Rt.No.74, Rev (Vig.VI) Dept., dt:20.01.2009.
5)DIG, R&S, Guntur Lr.No. DIG Vigilance (R&S)Guntur/p.5/2009, dated: 18.05.2010.
6) G.O.Ms.No.565, Rev. (Vig.VI) Deptt., dt:12-11-2013.
7) Review Petition of Sri Kota Sai Baba, dt:15-2-2014.
8) Govt., Memo.No.52443/Vig.II(1)/2007-8, dt:16-10-2014.
9) OA.No.7123/2014 filed by Sri K.Sai Baba, former SR (Retd).
10) Orders of APAT in OA.No.7123/2014, dt:11-11-2016.

@@@

ORDER:

Whereas, after examining the report of the Director General, Anti Corruption Bureau in the reference 1st read above, Government have initiated disciplinary proceedings duly framing the following charges against Sri Kota Sai Baba, Sub Registrar Grade-II, O/o. District Registrar (Original Branch), Gandhinagar, Vijayawada, Krishna District under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 in the reference 2nd read above.

Charge:

"(a) That Sri Kota Sai Baba, Sub Registrar Office-II, Gandhinagar, Vijayawada was found in possession of un accounted amount of Rs.49,000/- which was illegally collected from the public who came to Sub Registrar Office, Gandhinagar, Vijayawada, Krishna for getting registration of documents."

(b) "That Sri Kota Sai Baba, Sub Registrar Office-II, Gandhinagar, Vijayawada was in charge of the office at the time of surprise check on 22.09.2007. During the check an un accounted amount Rs.11,000/- was found in the record room of the office which was collected by the Sub Registrar Office-II illegally from the public who came for getting registration"

(c) "That Sri Kota Sai Baba, Sub Registrar Office-II, did not supervise the staff and there was improper maintenance of important registers like Non-judicial General stamp Register, stock Register of Special Adhesive Stamps and Cash Register of Stamp counter."

(d) "That Sri Kota Sai Baba, Sub Registrar Office-II, Gandhinagar, Vijayawada, Krishna District allowed the private person Sk.Abdul Jaleel, S/o. Shaik Khasim Peera, aged 55 years, H.No.8-7-17, Winchipet, Vijayawada Krishna District (Private Document Writer) to enter into the O/o. Sub Registrar Office-II, Gandhinagar, Vijayawada, Krishana District and to collect illegal gratification from the public on behalf of the Sub Registrar Office–II."

Contd.,2

2. In the reference 3rd read above, the Charged Officer has submitted his Written Statement of Defense. Having not convinced with the Written Statement of Defence submitted by the Charged Officer, a regular enquiry was ordered by appointing the Deputy Inspector General (Vigilance), Guntur as Regular Enquiry Officer in the reference 4th read above. The Regular Enquiry Officer submitted the report holding the charge-2 is held proved and charges 1,3 & 4 were not held proved in the reference 5th read above.

3. Government after following due procedure have imposed a penalty of 10% cut in pension permanently against the Charged Officer Sri Kota Sai Baba, former Sub Registrar Grade-II (now Retired) in the reference 6th read above.

4. Aggrieved by the above orders, Sri Kota Sai Baba, Sub Registrar Grade-II (Retired) filed a Review Petition before Government in the reference 7th read above to set aside the orders issued in the reference 6th read above.

5. Government after careful examination of the matter have rejected the Review Petition in the reference 8th read above.

6. Aggrieved by the above orders, Sri Kota Sai Baba, former Sub Registrar Grade-II (Retired) has filed OA.No.7123/2014 before the Andhra Pradesh Administrative Tribunal with a prayer to set aside the orders issued in the references 6th & 8th read above.

7. The Hon'ble Andhra Pradesh Administrative Tribunal in the reference 10th read above have relied upon the judgment of Hon'ble Supreme Court reported in AIR 1978 Supreme Court 1277 in the case of Nanda Kishore Prasad Vs the State of Bihar and held that the findings of the enquiry officer with regard to the cash of Rs.11,000/- are based on mere suspicion but not on concrete evidence. Therefore, the Andhra Pradesh Administrative Tribunal has allowed the OA and set aside the impugned orders issued in the references 6th and 8th read above.

8. Government after careful examination of the matter have decided to implement the orders of Andhra Pradesh Administrative Tribunal in the reference 10th read above. Accordingly, Government hereby order to implement the order of Andhra Pradesh Administrative Tribunal duly droping further action against Sri Kota Sai Baba, former Sub Registrar Grade-II (Retired).

9. The Director & Inspector General, Registration & Stamps / Deputy Inspector General, Registration & Stamps, Vijayawada shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJEYA KALLAM
CHIEF SECRETARY TO GOVERNMENT &
SPECIAL CHIEF SECRETARY (CT, P&E, R&S)

To
The Individual (through the Director & Inspector General, Registration & Stamps, Andhra Pradesh with a request to serve the order on the individual and furnish the served copy to Government record)
The Director & Inspector General, Registration & Stamps, Andhra Pradesh, Eedupugallu, Vijayawada.
The Deputy Inspector General, Registration & Stamps, Vijayawada.
The Director General, Anti Corruption Bureau, Pandit Nehru Bus Station, NTR Administrative Block, 2nd Floor, Vijayawada.
The Secretary to the Vigilance Commissioner,
Andhra Pradesh Vigilance Commission, Velagapudi, Guntur District.
SF / SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER